



Memorandum

TO: CITY COUNCIL

FROM: Mayor Sam Liccardo
Councilmember Margie Matthews

SUBJECT: SEE BELOW

DATE: April 21, 2015

APPROVED:

DATE:

Sam Liccardo *Margie Matthews*

4/17/15

SUBJECT: DECLARATION OF A 30 PERCENT WATER SHORTAGE

RECOMMENDATION

1. Amend the City Manager's proposed resolution to declare a water shortage of 30 percent citywide, per Policy Alternative #2 outlined in the staff memorandum, consistent with the recommendation of the Santa Clara Valley Water District.
2. Adopt the recommendation outlined in staff memorandum 7.4 to amend Chapter 15.10 of Title 15 of the San José Municipal Code to include significant economic development projects that are already in the "pipeline," approved or under construction, into the exception category.
3. Direct the City Manager to:
 - a. encourage the use of native plants and drip irrigation developments into the Development Services "pipeline."
 - b. include the following topics for discussion on the Agenda for the Joint Study Session with the Santa Clara Valley Water District:
 - i. A joint resolution of intent to support state legislation to accelerate the environmental clearance and construction of infrastructure to enable indirect potable reuse of highly purified recycled water;
 - ii. A robust, joint approach to enforcement of the new water regulations which incorporates water retailers and surrounding cities;
 - iii. Development of a "model ordinance" by the Santa Clara Valley Water District as a basis for engagement with surrounding cities to develop and implement regionally-consistent water conservation measure;
 - iv. Development of a monthly water conservation report by water retailers.

4. Direct the City Manager to report quarterly to the Transportation and Environment Committee on water conservation status.

DISCUSSION

The current drought, as well as its seemingly chronic nature, comprises a call for action. Although a 25% reduction meets the Governor and State Water Board's resolutions for the State and San Jose respectively, a 30% goal of water reduction better signals our commitment to addressing the current crisis.

We appreciate the Administration's work and recommendations to conserve water in outdoor landscaping. Without pulling the rug out from under those job-producing developments, we must ban any new installations of landscape during the months of May through October for projects not yet in the pipeline. For those projects within that development pipeline, we must emphasize the importance of installation of drought-resistant plants and drip irrigation to meet our Green Building requirements.

We can only accomplish our goals by working effectively with key partners. On March 24, 2015, the Santa Clara Valley Water District (Water District) passed a resolution calling for a 30% reduction in potable water use, including a restriction to watering ornamental landscapes or lawns with potable water to no more than two days a week. This comprises a sensible start for the City to embrace.

For the Joint Session between the Water District Board of Directors and the Council scheduled on April 27th, 2015, we recommend the City Manager include critical items to the agenda, including acceleration of the implementation of indirect potable reuse, water waste enforcement, a regional ordinance on water conservation measures, and regular water conservation reports by our water retailers.

In particular, there remains a large gap in our enforcement. The Water District lacks authority to enforce any water restrictions, but has resources for monitoring of compliance. Nonetheless, there have been no referrals of alleged water waste sent to the City for code enforcement purposes in anyone's memory. We need to better work together, with the District, and with our retailers; we must develop a system of routinely reporting water waste to city code enforcement officers for swift response.

Finally, we need every city in the region to join us for conservation to work effectively. We advocate for the District to craft a "model ordinance" or regional standard to apply broadly to municipalities within the Water District's boundaries.